

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
GREENVILLE DIVISION**

In re:)	
)	
CAH ACQUISITION COMPANY #1, LLC,	)	Case No. 19-00730-5-JNC
d/b/a WASHINGTON COUNTY HOSPITAL,	)	Chapter 11
)	
Debtor.)	
)	
In re:)	
)	
CAH ACQUISITION COMPANY #2, LLC,	)	Case No. 19-01230-5-JNC
d/b/a OSWEGO COMMUNITY HOSPITAL,	)	Chapter 11
)	
Debtor.)	
)	
In re:)	
)	
CAH ACQUISITION COMPANY #3, LLC,	)	Case No. 19-01180-5-JNC
d/b/a HORTON COMMUNITY HOSPITAL,	)	Chapter 11
)	
Debtor.)	
)	
In re:)	
)	
CAH ACQUISITION COMPANY 6, LLC,	)	Case No. 19-01300-5-JNC
d/b/a I-70 COMMUNITY HOSPITAL,	)	Chapter 7
)	
Debtor.)	
)	
In re:)	
)	
CAH ACQUISITION COMPANY 7, LLC,	)	Case No. 19-01298-5-JNC
d/b/a PRAGUE COMMUNITY HOSPITAL,	)	Chapter 11
)	
Debtor.)	
)	
In re:)	
)	
CAH ACQUISITION COMPANY 12, LLC,	)	Case No. 19-01697-5-JNC
d/b/a FAIRFAX COMMUNITY HOSPITAL,	)	Chapter 11
)	
Debtor.)	

In re:)	
)	
CAH ACQUISITION COMPANY 16, LLC,	)	Case No. 19-01227-5-JNC
d/b/a HASKELL COUNTY COMMUNITY	)	Chapter 11
HOSPITAL,)	
)	
Debtor.)	

TRUSTEE DESIGNATION OF EXHIBITS AND POTENTIAL WITNESSES
FOR JUNE 20, 2023 HEARING¹

Thomas W. Waldrep, Jr. (the “Trustee” or “Litigation Trustee”), in his capacity as Litigation Trustee of the above-captioned cases (with the exception of the case of CAH Acquisition Company 6, LLC, where he acts in his capacity as Chapter 7 Trustee),² by and through his undersigned counsel, hereby files this designation of Exhibits and Potential Witnesses in connection with the hearing scheduled for June 20, 2023, at 11:00 a.m. on the following matter: Motion for Order Authorizing and Approving (I) Litigation Funding Agreement with Omni Bridgeway (Fund 4) Inv. 3 L.P.; (II) Engagement Agreement with McDonald Hopkins LLP Related to Litigation Funding; and (III) Engagement Agreements with Waldrep Wall Babcock & Bailey PLLC and McDonald Hopkins LLP Related to Litigation Effective from and after April 15, 2023 [Dkt. No. 1580] (“Motion”).

Designation of Exhibits

Exhibit A to the Motion: Funding Agreement (Sealed) [not attached; See Dkt. No. 1580]

Exhibit B to the Motion: Redacted version of Funding Agreement [not attached; See Dkt. No. 1580]

Exhibit C to the Motion: Litigation Funding Engagement Agreement [not attached; See Dkt. No. 1580]

Exhibit D to the Motion: Litigation Engagement Agreements [not attached; See Dkt. No. 1580]

Affidavit of Marc Carmel [not attached; see Dkt. No. 1586]

Designation of Potential Witnesses

Thomas W. Waldrep, Jr., in his capacity as Trustee

¹ Based on the absence of any objections to the Motion, the Trustee does not anticipate calling any witnesses or introducing any documentary evidence; however, this Designation represents the Trustee’s compliance with the rules and directives of this Court. To the extent that the Court desires live testimony or documentary evidence, the Trustee proffers that such testimony and evidence would mirror the factual assertions set forth in the Motion.

² The above-captioned bankruptcy cases shall be collectively referred to herein as the “Bankruptcy Cases.” The above-captioned debtors shall be collectively referred to herein as the “Debtors.”

Marc Carmel, as representative of McDonald Hopkins LLP

Ken Epstein, as representative for Omni Bridgeway

Respectfully submitted, this the 19th day of June, 2023.

**WALDREP WALL BABCOCK
& BAILEY PLLC**

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep, Jr. (NC Bar No. 11135)

Kevin L. Sink (NC Bar No. 21041)

Jennifer B. Lyday (NC Bar No. 39871)

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